

RECLAMATION REGULATIONS FOR MINERAL MINING

PART I.

GENERAL REQUIREMENTS.

4 VAC 25-31-10. Definitions.

The following words and terms, when used in these regulations, shall have the following meaning, unless the context clearly indicates otherwise.

“Acre-foot” means a unit of volume equal to 43,560 cubic feet or 325,853 gallons. One acre-foot of water is equivalent to one acre covered by water one foot deep.

“Berm” means a stable ridge of material used in reclamation for the control of sound and surface water, safety, aesthetics, or such other purpose as may be applicable.

“Critical areas” mean problem areas such as those with steep slopes, easily erodible material, hostile growing conditions, concentration of drainage or other situations where revegetation or stabilization will be potentially difficult.

“Department” means the Department of Mines, Minerals and Energy.

“Director” means the Director of the Department of Mines, Minerals and Energy or his designee.

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“Division” means the Division of Mineral Mining.

“Fifty-year flood” means the flood magnitude expected to be equaled or exceeded on the average of once in 50 years. It may also be expressed as a probability that there is a 2.0 % chance that the flood magnitude may be equaled or exceeded in any given year.

“Intermittent stream” means a stream or part of a stream that flows for at least one month of the calendar year as a result of ground water discharge or surface run-off.

“Internal service roads” mean roads which are to be used for internal movement of raw materials, soil, overburden, finished, or in-process materials within the permitted area, some of which may be temporary.

“Natural drainageway” means any natural or existing channel, stream bed, or watercourse which carries surface or ground water.

“One-hundred year flood” means the flood magnitude expected to be equaled or exceeded on the average of once in 100 years. It may also be expressed as a probability that there is a 1.0 % chance that the flood magnitude may be equaled or exceeded in any given year.

“Perennial stream” means a stream or part of a stream that flows continuously during all of the calendar year as a result of ground water discharge or surface run-off.

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“Permitted area” means the disturbed land area and areas used for access roads and other activity in the area approved for mining within the boundary shown on the application map.

“Principal access roads” mean roads which are well-defined roads leading from scales, sales offices, or loading points to a public road.

“Probable maximum flood (PMF)” means the flood that might be expected from the most severe combination of critical meteorologic and hydrologic conditions that are reasonably possible in the region. The PMF is derived from the current probable maximum precipitation available from the National Weather Service, National Oceanic and Atmospheric Association. In some cases local topography or meteorological conditions will cause changes from the generalized PMP values; therefore, it is advisable to contact local, state, or federal agencies to obtain the prevailing practice in specific cases.

“Regrade or grade” means to change the contour of any surface.

“Sediment” means undissolved organic or inorganic material transported or deposited by water.

“Sediment basin” means a basin created by the construction of a barrier, embankment, or dam across a drainageway or by excavation for the purpose of removing sediment from the water.

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“Spillway design flood (SDF)” means the largest flood that needs be considered in the evaluation of the performance for a given project. The impounding structure shall perform so as to safely pass the appropriate SDF. Where a range of SDF is indicated, the magnitude that most closely relates to the involved risk should be selected.

“Stabilize” means any method used to prevent movement of soil, spoil piles, or areas of disturbed earth. This includes increasing bearing capacity, increasing shear strength, draining, compacting, rip-rapping, vegetating or other approved method.

“Ten-year storm” means the storm magnitude expected to be equaled or exceeded on the average of once in 10 years. It may also be expressed as a probability that there is a 10% chance that the storm magnitude may be equaled or exceeded in any given year. A 10-year 24-hour storm occurs when the total 10-year storm rainfall amount occurs in a 24-hour period.

“Top soil” means the surface layer and its underlying materials that have properties capable of producing and sustaining vegetation.

4 VAC 25-31-20. Scope.

These regulations establish general and specific rules for mining permits, bonds, operations and reclamation procedure, roads, revegetation, and other matters related to mineral

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mining.

4 VAC 25-31-30. Permittee.

The permittee shall comply fully with the requirements of Chapter 16 of Title 45.1 of the Code of Virginia and this regulation and shall further ensure compliance by all employees, contractors, or other persons performing mining or reclamation activities.

4 VAC 25-31-40. Modifications.

The division may approve modifications or amendments to any drainage, reclamation and operation plan required under Chapter 16 of Title 45.1 of the Code of Virginia and provisions of these regulations. All modifications or amendments shall be valid only when approved in writing.

4 VAC 25-31-50. Mineral Mine Operator's Manual.

The Mineral Mine Operator's Manual is a nonregulatory guidance document to assist operators in complying with Title 45.1 of the Code of Virginia. The manual may be obtained from the division.

4 VAC 25-31-60. Other governmental agencies and laws.

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Any mineral mining permit issued shall not supersede or otherwise affect or prevent the enforcement of other laws and regulations of federal, state, or local governments.

4 VAC 25-31-70. Exemptions.

A. These regulations shall not apply to:

1. Excavation or grading when conducted solely to aid on-site farming or construction;

2. Mining of coal, unless the coal is mined incidental to the mining of minerals;

3. Searching, prospecting, exploring or investigating for minerals by drilling;
and

4. Excavation or grading when conducted by an agency or governmental unit of the Commonwealth, local government, or the federal government using government employees.

B. The surface extraction of minerals shall not constitute mineral mining unless:

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1. The mineral is extracted for its unique or intrinsic characteristics or:

2. The mineral requires processing prior to its intended use.

C. When considering whether an operation is exempt, the Director shall consider the length of time or duration of the activity, whether it is a one time activity, and whether all necessary permits and approvals are in place before the activity begins.

PART II.

PERMIT STANDARDS.

Article 1.

Permits.

4 VAC 25-31-80. Contiguous area.

Contiguous areas mined by a single operator shall be covered under one permit; however, the Director may, at his discretion, combine noncontiguous areas into a single permit where such areas are close to each other and are part of the same operation.

4 VAC 25-31-90. Operator conference with inspector.

Prior to approval of a permit application, all maps and plans shall be reviewed at the

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proposed mining site with the inspector.

4 VAC 25-31-100. Mineral mining permits.

Permits shall be renewed annually to continue to be in effect.

4 VAC 25-31-110. Permit application.

Application for a mineral mining permit shall be made in writing on a form prescribed by the director and shall be signed and sworn to by the applicant or his duly sworn representative.

Two copies of the application shall be submitted to the division.

4 VAC 25-31-120. Permit fee and bond.

A. The following permit fees shall be submitted upon receipt of a billing notice from the Director and before the permit is issued:

1. A fee of \$12 per acre for the total permitted acres shall be submitted for the initial permit application.

2. A fee of \$6 per acre for the land permitted by the total operation shall be paid to transfer the permit when one operator succeeds another on an

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uncompleted operation.

B. All fees shall be in the form of cash, check, money order, or other form of payment acceptable to the Director.

C. A bond is required as set forth in Part III of this regulation. Bonding shall be provided once the permit application is deemed complete.

4 VAC 25-31-130. Mineral mining plans.

Mineral mining plans shall be attached to the application and consist of the following:

A. The reclamation plan shall include a statement of the planned land use to which the disturbed land will be returned through reclamation, the proposed actions to assure suitable reclamation, and a time schedule for reclamation. The method of grading, removal of metal, lumber, and debris, including processing equipment, buildings, and other equipment relative to the mining operation and revegetation of the disturbed area shall be specified.

B. The operation plan shall include a description of the proposed method of mining and processing; the location of top soil storage areas; overburden, refuse and waste disposal areas; stockpiles, equipment storage, and maintenance areas; cut and fill slopes; and roadways. The operation plan shall also include all related design and construction data. The method of

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operation shall provide for the conducting of reclamation simultaneously where practicable with the mining operation. For the impoundments that meet the criteria of § 45.1-225.1 A 1-3 of the Code of Virginia, plans shall be provided as required under 4 VAC-25-31-180 and 4 VAC 25-31-500.

C. The drainage plan shall consist of a description of the drainage system to be constructed before, during and after mining, a map or overlay showing the natural drainage system, and all sediment and drainage control structures to be installed along with all related design and construction data.

D. Adequate maps, plans and cross sections, and construction specifications shall be submitted to demonstrate compliance with the performance standards of Part IV of this chapter and Chapter 16 of Title 45.1 of the Code of Virginia. Designs, unless otherwise specified, shall be prepared by a qualified person, using accepted engineering design standards and specifications.

E. A copy of the Virginia Department of Transportation construction permit for roads that connect to public roads shall be included where applicable.

F. If mining below the water table is to take place, the following conditions apply:

1. A plan for the minimization of adverse affects on water quality or quantity shall be submitted and approved by the Director.

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2. In no case shall lakes or ponds be created if they are less than four feet deep, except when creation of wetlands is approved as part of the post-mining land use.

4 VAC 25-31-140. Marking of Permit Boundaries

A. The permit boundary of the mine shall be clearly marked with identifiable markings when mine related land disturbing activities are within 100 feet of the permit boundary.

B. This regulation is not applicable to lands disturbed prior to the effective date of this regulation.

C. Maintenance of permit boundary markers is not required after completion of construction, completion of final disturbances, or completion of final reclamation unless the area is being re-disturbed by mining.

D. Separate boundary markings are not required if clear, readily identifiable features, such as streams, permanent roads, or permanent power lines coincide with the permit boundary.

4 VAC 25-31-150. Maps.

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A. Maps shall be supplied as described in §45.1-181 and §45.1-182.1 of the Code of Virginia and in this chapter which show the total area to be permitted and the area to be affected in the next ensuing year (with acreage calculated).

B. Preparation of maps.

1. All application, renewal, and completion maps shall be prepared and certified under the direction of a professional engineer, licensed land surveyor, licensed geologist, issued by a standard mapping service, or prepared in such a manner as to be acceptable to the Director.

2. If maps are not prepared by the applicant, the certification of the maps shall read as follows: “I, the undersigned, hereby certify that this map is correct and shows to the best of my knowledge and belief, all the information required by the mineral mining laws and regulations of the DMME”.

3. The applicant shall submit a general location map showing the location of the mine, such as a county highway map or equivalent, in the initial application.

4. Sensitive features within 1000 feet of the permit boundary such as cemeteries, oil and gas wells, underground mine workings, streams, creeks and

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other bodies of public water, public utilities and utility lines, public buildings, public roads, churches, and occupied dwellings shall be shown.

C. Map code and legend.

1. A color code as prescribed by the Director shall be used in preparing the map.

2. Graphic symbols may be used to represent the different areas instead of a color-coded map.

3. The map shall include a legend which shows the graphic symbol or color code and the acreage for each of the different areas.

VAC 25-31-160. Legal right.

A. A statement of the source of the legal right of the applicant to enter and conduct operations on the land proposed to be covered by the permit as noted in § 45.1-181 of the Code of Virginia shall be submitted to the division. In addition, the applicant shall submit proof of right of entry, which shall consist of a copy of the lease or deed, or names of parties to the lease or deed, date of execution, and recording information.

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B. On the permit application the applicant shall disclose all past mineral surface mining permits, revocations, and bond forfeitures in Virginia or any other state with which he or any individual, corporation, partnership, association, or other legal entity with which he has or has had control or common control.

4 VAC 25-31-170. Permit notifications.

A. The following shall be made with a new permit application:

1. Notification to property owners within 1,000 feet of the permit boundary by certified mail. A record shall be kept of:
 - a. the names and addresses of those notified and
 - b. the certified mail return receipts used for the notification.

2. A statement as required by § 45.1-184.1 of the Code of Virginia to property owners that requires land owners within 1,000 feet of the permit boundary to be notified that the operator is seeking a surface mining and reclamation permit from the Department of Mines, Minerals and Energy. The statement shall also include:
 - a. company name

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- b. date

- c. location

- d. distance and direction of nearest town or other easily identified landmark

- e. city or county

- f. tax map identification number.

- g. requirements for:
 - 1.) regrading

 - 2.) revegetation and

 - 3.) erosion controls of mineral mine sites

B. A statement that property owners within 1000 feet of the permit boundary have ten days from receipt of the permit notification to specify written objections or request a hearing. This request shall be in writing and shall be sent to the Department of Mines, Minerals and

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Energy, Division of Mineral Mining, P.O. Box 3727, Charlottesville, Virginia 22903, (804) 951-6310.

C. A statement, with certified mail receipt, certifying that the chief administrative official of the local political subdivision has been notified.

D. Notification to any utilities on or within 500 feet of the permitted area.

1. The notification shall consist of the following:

a. The name of the party issuing the notice;

b. The applicant name, address, and phone number; and

c. The name and address of the party receiving the notice and the information noted in subsection A.2 of 4 VAC 25-31-170.

E. Property owners within 1000 feet of the permit boundary have ten days from receipt of the notification of proposed mining to file objections with the director. No permit will be issued until at least 15 days after receipt of the application by the division. If all persons required to receive notice have issued a statement of no objection, the permit may be issued in less than 15 days.

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F. Copies of all permit notifications and statements required in A through D of this section shall be supplied to the Department with the application.

4 VAC 25-31-180. Impoundments.

The design data and construction plans and specifications for impoundments meeting the criteria set forth in Chapter 18.1 (§ 45.1-225.1 et seq.) of Title 45.1 of the Code of Virginia, shall be submitted to the Director prior to initiation of construction activities. Such a plan shall be certified as prepared by, or under the supervision of, a registered professional engineer and shall include:

1. Design and construction specifications;
2. Examination and monitoring;
3. Emergency procedures; and
4. Closure and abandonment plans.

4 VAC 25-31-190. Availability of permits.

Mineral mining permits and a copy of the permit application shall be kept on-site while

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mining is underway.

4 VAC 25-31-200. Exemption for restricted mining.

Any operator engaging in mining and disturbing less than a total of one acre of land and removing less than 500 tons of minerals total, is exempt from all mining permit fees, renewal fees and bonding requirements in this chapter. The mining operator shall submit an application for a permit, a sketch of the mining site, and an operations plan, which shall be adhered to in accordance with §§ 45.1-181 and 45.1-182.1 of the Code of Virginia.

Article 2.

Permit Renewal and Surety Adjustments.

4 VAC 25-31-210. Annual renewal.

A. If a permitted mineral mine operator wishes to continue operations, the mineral mining permit shall be renewed each year within 10 days of the anniversary date. If the time requirements set forth herein are not met, the permit shall expire 10 days following the anniversary date.

B. A renewal fee in the amount of \$6 per acre for previous acres disturbed plus estimated additional acres to be disturbed in the next twelve months shall accompany the permit

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renewal submitted to the director.

C. The permit renewal shall be submitted on a form prescribed by the director. The renewal shall be signed by the applicant or his legal representative. The permit renewal and maps must be received by the anniversary date and meet the requirements in 4 VAC 25-31-100 through 4 VAC 25-31-220 of Part II of these regulations.

D. If in a given year there are no substantive changes to the map required in 4 VAC 25-31-150, the operator may submit a certification instead of the map for the year. The certification shall read as follows: "I, the undersigned, hereby certify that no changes have been made in the different areas or in other map features since the last annual permit renewal or modification."

E. If at renewal time, bond or other surety is less than the required coverage, the Director will notify the operator in writing of the amount required. The operator shall submit the required bond according to the requirements in 4 VAC 25-31-220 through 4 VAC 25-31-270 of Part III of these regulations before the area is disturbed.

PART III.

BONDING.

4 VAC 25-31-220. Requirements for bonding of mineral mines.

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A. Once the permit application is deemed complete, the applicant shall submit a bond or bonds on a form meeting the requirements in §§ 4 VAC 25-31-220 through 4 VAC 25-31-270 of Part III of these regulations, made payable to the Department, and conditioned upon the satisfactory performance of all the requirements of this chapter, the approved permit, and Chapter 16 of Title 45.1 of the Code of Virginia, including completion of the reclamation plan so that the land will be capable of supporting the approved post-mining land use.

B. The bond or bonds shall cover the entire area presently disturbed by mining plus the estimated number of acres to be disturbed in the upcoming year.

C. As additional areas outside the bonded acreage are to be disturbed to facilitate the mining operation, the permittee shall file a bond or bonds to cover the acreage with the division.

D. Bond shall be posted and accepted by the division prior to disturbing an area for mining related activity.

E. Permitted operators shall certify annually with the permit renewal the type, current insurer or bank, and the amount of all reclamation bonds.

4 VAC 25-31-230. Period of liability.

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A. The bond liability shall be for the duration of the mineral mining operation and for the period following reclamation which is necessary to demonstrate the success of the final reclamation.

B. In lieu of the requirements of 4 VAC 25-31-240 through 4 VAC 25-31-270, a permittee accruing five years of satisfactory operation under Chapter 16 of Title 45.1 of the Code of Virginia shall be required to enter the Minerals Reclamation Fund as established in Article 4 of Chapter 16 of Title 45.1 of the Code of Virginia and 4 VAC 25-31-320. All performance bonds will be released upon acceptance in the Minerals Reclamation Fund and payment of required fees.

4 VAC 25-31-240. Bond amount.

A. The amount of bond shall be \$1,000 per acre of disturbed land.

B. The minimum bond for a mineral mining permit shall be \$1,000, except for restricted permits and Minerals Reclamation Fund participants.

4 VAC 25-31-250. General terms and conditions of bond.

A. The bond shall be of the form and amount as specified by the division.

B. The performance bond shall be payable to the Department.

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C. The performance bond shall be conditioned upon satisfactory performance of all the requirements of this chapter, the approved permit, and Chapter 16 of Title 45.1 of the Code of Virginia, including completion of the reclamation plan so that the land will be capable of supporting the approved post-mining land use.

4 VAC 25-31-260. Form of performance bond.

The bond shall be submitted in the form of cash, check, certificate of deposit, or insurance surety bond.

A. Certificates of deposit.

1. Certificates of deposit must be made payable to the Treasurer of Virginia, Division of Mineral Mining.

2. The amount of the certificate of deposit must include the maximum early withdrawal penalty rounded up to the next higher hundred dollars.

3. The original certificate of deposit shall be submitted to the division and held by the division throughout the bond liability period.

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4. Certificates of deposit must be automatically renewable.

5. The certificate of deposit must be from a bank located in the Commonwealth of Virginia or approved as an allowable bank depository by the Virginia Department of Treasury.

6. Interest accrued on certificates of deposit may be deposited to the permittee's individual account and is free of encumbrance by bond liability.

7. In the event of forfeiture of a certificate of deposit, the face value of the deposit plus any accrued interest that has been rolled back into the certificate principal will be subject to bond liability and expenditure in the performance of the reclamation obligation.

B. Surety bonds.

1. All bonds shall be acceptable by the director. Bonds shall be executed by the permittee, and a corporate surety and agent licensed to do business in the Commonwealth.

2. Surety bonds shall not be canceled during their term except that surety bond coverage for lands not disturbed may be canceled with the prior consent of

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the division. The division shall advise the surety, within 30 days after receipt of a notice to cancel bond, whether the bond may be canceled on an undisturbed area.

4 VAC 25-31-270. Replacement of bonds.

A. The division may allow a permittee to replace existing bonds with other bonds that provide equivalent coverage.

B. The division shall not release existing performance bonds until the permittee has submitted and the division has approved acceptable replacement performance bonds.

Replacement of a performance bond pursuant to this section shall not constitute a release of bond.

4 VAC 25-31-280. Release of bond.

The division may release all or part of the bond for the entire permit area or a portion of the permit area if the division is satisfied that all reclamation covered by the bond or portion thereof has been accomplished in accordance with this chapter, the approved permit, and Chapter 16 of Title 45.1 of the Code of Virginia, including completion of the reclamation plan so that the land will be capable of supporting the approved post-mining land use.

4 VAC 25-31-290. Intensive agricultural use.

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If the post-mining use is to be intensive agriculture, then planting and harvesting of a normal crop yield is required to meet the regulatory requirements for full or partial bond release. A normal yield for a particular crop is equal to the five year average for the county. The use of grass, water bars, or diversion strips and natural vegetative drainage control may be required in the initial planting year as specified by the Director.

4 VAC 25-31-300. Inspections for adequacy of vegetation and bond release.

A. Final inspection for bond release shall be made no sooner than two growing seasons after the last seeding.

B. Final inspection for bond release shall require:

1. No noncritical areas larger than one half acre shall be allowed to exist with less than 75% ground cover. Vegetation shall exhibit growth characteristics for long term survival.

2. Seeded portions of critical areas shall have adequate vegetative cover so the area is completely stabilized.

3. Bond release inspections for industrial, residential, or commercial post-

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mining use shall ensure that:

a. All areas not redisturbed by implementation of the post-mining use are reclaimed and satisfactorily stabilized.

b. All areas associated with construction of buildings or residential dwellings for post-mining use are covered by appropriate plans approved by the local governing body, i.e., erosion and sediment control plans, building permits, and development plans.

c. All areas not covered by such approved local government plans shall be reclaimed and stabilized in accordance with subdivisions B1 and B2 of this section prior to release of bond.

4. Bond release inspections for other post-mining uses will ensure that all areas not directly used by the post-mining use are stabilized in accordance with subdivisions B 1 and B 2 of 4 VAC 25-31-300 and that the post-mining use is implemented.

4 VAC 25-31-310. Bond forfeiture.

A. If the permittee refuses or is unable to comply with an order by the Director under

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§ 45.1-186.1 of Chapter 16 Title 45.1 of the Code of Virginia, fails to comply with the terms of the permit, or defaults on the conditions under which the bond was accepted, the division shall take the following action to revoke the permit and forfeit the bond or bonds for the permit area or a portion of the permit area:

1. Send written notification by certified mail, return receipt requested, to the permittee and the surety on the bond informing them of the decision to revoke the permit and forfeit all or part of the bond, and the reasons for this action.

2. Advise the permittee and surety of the conditions under which forfeiture may be avoided. Such conditions may include:

a. Agreement by the permittee or another party to perform reclamation operations in accordance with a compliance schedule acceptable to the division, which meets the conditions of the permit and the reclamation plan, and demonstrates that such party has the ability to satisfy the conditions; or

b. The division may allow a surety to complete the reclamation plan if the surety can demonstrate an ability to complete the reclamation in accordance with the approved reclamation plan. Except where the division may approve partial release, no surety liability shall be released

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until successful completion of all reclamation under the terms of the permit.

B. In the event forfeiture of the bond is required, the division shall:

1. Proceed to collect the forfeited amount as provided by Virginia law for the collection of defaulted bonds or other debts if actions to avoid forfeiture have not been taken, if any rights of appeal have not been exercised within a time established by the division, or if such appeal is unsuccessful.

2. Use funds collected from bond forfeiture to complete the reclamation plan on the permit area.

C. Upon default the division may cause the forfeiture of any and all bonds deposited to complete reclamation for which the bonds were posted. Bond liability shall extend to the entire permit area under conditions of forfeiture.

D. Reclamation costs in excess of the forfeited bond amount will constitute a debt of the operator to the Commonwealth of Virginia and shall be collected in accordance with § 45.1-186.2 of the Code of Virginia.

E. In the event the amount of performance bond forfeited was more than the amount

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necessary to complete reclamation, the unused funds shall be returned by the division to the party from whom they were collected.

F. Appeal of bond forfeiture decisions may be made by the operator to the Board of Surface Mining Review by providing notice of appeal to the Director in accordance with §§ 45.1-186.1 and 45.1-194 of the Code of Virginia. If the operator files a notice of appeal, then the director's orders revoking the permit and declaring forfeiture shall be held in abeyance until the appeal is determined by the Board of Surface Mining Review.

4 VAC 25-31-320. Minerals Reclamation Fund (MRF).

A. Each operator who has had five years of satisfactory operation in the Commonwealth under Chapter 16 of Title 45.1 of the Code of Virginia, shall become a member of the fund by making an initial payment to the fund of \$50 for each acre currently disturbed and each acre estimated to be affected by mining operations during the next year. Thereafter the member shall make an annual payment of \$12.50 for each acre currently disturbed plus each acre estimated to be affected during the next ensuing year. Such payments shall continue until the member has paid into the fund a total of \$500 for each acre affected.

B. Entry into the Minerals Reclamation Fund shall be mandatory for all eligible permittees.

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C. Operator deposits into the Minerals Reclamation Fund shall be released or retained under the following conditions:

1. When the operation and reclamation are complete and the reclaimed area is suitable for bond release Minerals Reclamation Fund deposits for the reclaimed area shall be returned to the operator.

2. When the mining permit is transferred to another permittee and division approval is granted, Minerals Reclamation Fund deposits for the permit may be returned to the transferring permittee.

3. When a mining permit is completely relinquished to another operator, other than in a permit transfer, all of the Minerals Reclamation Fund deposits for the permit shall be returned to the relinquishing operator upon division approval of the relinquishment.

4. After bond release applications are approved by the division, Minerals Reclamation Fund deposits for the permit shall be held or retained according to the following formulas:

a. If the permit Minerals Reclamation Fund balance divided by the number of acres remaining under bond is equal to \$500 no Minerals

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Reclamation Fund deposits for the permit will be released.

Example: 50 acres permitted; 10 acres bonded; 2 acres requested for release; Minerals Reclamation Fund deposits = \$4,000

Minerals Reclamation Fund balance ÷ remaining bonded acres = \$500

\$4,000 ÷ (10-2) acres = \$500

b. If the permit Minerals Reclamation Fund balance divided by the number of acres remaining under bond is less than \$500 the bond release amount will be determined by dividing the permit Minerals Reclamation Fund deposit by the number of bonded acres including the acres to be released and then multiplying by the number of acres to be released.

Example: 50 acres permitted; 10 acres bonded; 2 acres requested for release; Minerals Reclamation Fund deposits = \$3,000

Minerals Reclamation Fund balance ÷ total bonded acres = Release amount \$ per acre

\$3,000 ÷ 10 acres = \$300 per acre

Release amount = \$300 per acre x 2 acres = \$600

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D. Monies available in the Minerals Reclamation Fund may be less than the total of all operator deposits due to expenditures for bond forfeiture as required by Section 45.1-197.12. Minerals Reclamation Fund refunds are subject to availability of monies in the Minerals Reclamation Fund and shall be suspended if the fund decreases below \$250,000. Payments to the fund are then proportionately assessed until the fund returns to a minimum, \$250,000 or bond or other securities are posted as required by the director in accordance with § 45.1-197.14 of the Code of Virginia.

E. No annual Minerals Reclamation Fund deposits will be collected from members where the permit Minerals Reclamation Fund deposits divided by the number of bonded acres is equal to or greater than \$500.

F. Minerals Reclamation Fund deposits will be transferred to the successor operator when a permit transfer occurs due to a change in organization status or restructuring that does not involve a complete change of ownership.

PART IV.

PERFORMANCE STANDARDS.

4 VAC 25-31-330. Protected structures and sensitive features.

Mining activities shall be conducted in a manner that protects cemeteries, public utilities,

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public buildings, public roads, churches, and occupied dwellings.

4 VAC 25-31-340. Signs.

A permanent sign shall be installed on the mining site adjacent to the principal access road and shall be visible and legible to access road traffic. The name of the permittee and the permit number shall be on the marker.

4 VAC 25-31-350. Roads.

A. Internal service roads and principal access roads shall be planned to minimize the impact of traffic, dust, and vehicle noise on developed areas outside the mining site.

B. Construction standards.

1. The integrity of drainageways shall be maintained. If natural drainageways are altered or relocated during construction, adjoining landowners shall be protected from damage resulting from construction.

2. Drainage structures shall be required in order to cross a stream channel. Such structures shall be constructed with consideration for surrounding drainage acreage and culvert size, and slope as not to restrict the flow of the stream, i.e., the bridge or culvert(s) shall be of adequate size to permit stream flow throughout

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the seasonal periods during the life of the surface mine permit. Temporary stream crossings for pioneer roads shall be for infrequent use, stable, only used in low flow times, and shall not contribute to sedimentation off-site.

3. Roads shall be located away from streams wherever possible.

4. Road surfaces and ditches shall be stabilized. Side slopes shall be constructed in a stable manner to minimize erosion and sedimentation.

5. Ditches shall be constructed where necessary, with consideration for surrounding drainage acreage and slope and shall have sufficient capacity to control surface run-off.

6. Culverts shall be installed in accordance with the following standards:

a. Relief culverts shall be installed at intervals to prevent overloading of ditches.

b. Culverts shall be placed on a minimum grade to ensure free drainage and be covered by compacted fill as specified by the manufacturer.

c. The inlet end shall be protected by a headwall of a suitable

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material such as a concrete retaining wall, sand bags, rock riprap, or other approved material.

d. The outlet end shall discharge onto an apron of rock riprap or other approved material. Where practical, the outlet end shall be placed below the toe of the fill. At no time should run-off be allowed to flow over an unprotected fill slope.

e. All culverts shall have the capacity to carry storm run-off and shall be properly maintained.

7. Sediment control shall be provided for roads to minimize sediment that leaves the disturbed area.

8. Dust from roads shall be adequately controlled.

9. Roads shall be surfaced and maintained to prevent the depositing of mud and debris on public roads.

10. Roads shall not be surfaced with any acid producing material or any material which will introduce a high concentration of suspended solids into surface drainage.

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C. Maintenance.

Maintenance is required to ensure the proper functioning of the road and drainage system. Maintenance of the road system shall consist of inspecting, repairing and cleaning of roadways, ditches, and culverts as necessary. Particular attention shall be given to removing debris from culvert inlets.

D. Abandonment.

When a road is abandoned, steps shall be taken to minimize erosion and establish the post-mining use in accordance with the reclamation plan.

4 VAC 25-31-360. Operation and reclamation.

A. Mining operations shall be conducted to minimize adverse effects on the environment and facilitate integration of reclamation with mining operations according to the special requirements of individual mineral types. Mining shall be conducted to minimize the acreage that is disturbed and reclamation shall be conducted simultaneously with mining to the extent feasible.

B. Open pit mining of unconsolidated material shall be performed in such a way that extraction and reclamation are conducted simultaneously.

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C. Mining activities shall be conducted so that the impact on water quality and quantity are minimized. Mining below the water table shall be done in accordance with the mining plan under 4 VAC 25-31-130.

D. In no case shall lakes or ponds of water be created that are less than four feet deep, unless wetlands are formed as part of the approved post-mining land use.

E. Excavation shall be done in such a manner as to keep storm drainage flowing toward sediment control structures. Diversions shall be used to minimize storm run-off over disturbed areas.

F. The mining operation shall be planned to enhance the appearance to the public during mining and to achieve simultaneous and final reclamation.

G. At the completion of mining, all entrances to underground mines shall be closed or secured and the surface area reclaimed in accordance with the mineral mining plan.

H. Reclamation shall be completed to allow the post-mining land use to be implemented. After reclamation, the post-mining land use shall be achievable and compatible with surrounding land use. All necessary permits and approvals for the post-mining land use shall be obtained prior to implementation.

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4 VAC 25-31-370. Slopes.

A. The grade of completed slopes shall be as described in the mineral mining plan. Long uninterrupted slopes shall be provided with drainage control structures, such as terraces, berms, and waterways, to minimize erosion due to surface run-off.

B. Slopes shall be stabilized, protected with a permanent vegetative or riprap covering, and shall not be eroded.

C. Constructed cut or fill slopes shall not extend closer than 25 feet to any property boundary without the written permission of the adjoining property owner and the approval of the Director.

4 VAC 25-31-380. Treatment of acid material.

All acid material, which is part of or directly associated with the mineral deposit or deposits being mined, shall be properly controlled during mining and upon completion of mining, shall be covered with a material capable of shielding the acid material and supporting plant cover in accordance with the approved reclamation plan. Unless otherwise specified by the Director, the minimum cover shall be four feet in depth.

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4 VAC 25-31-390. Handling of spoil piles and stockpiles of minerals.

A. All spoil piles will be graded in accordance with the mineral mining plan in such a manner as to minimize sediment run-off.

B. Stockpiles of minerals shall be removed to ground level and the area shall be scarified and planted in accordance with the approved mineral mining plan. The Director shall allow a reasonable time for sale of stockpiles.

4 VAC 25-31-400. Overburden, refuse, spoil and waste fills.

A. Overburden, refuse, spoil and waste disposal fills with the capability to impound water, sediment or slurried tailings, slimes or refuse in a liquid, or semi-liquid state, shall be designed and constructed in accordance with 4 VAC 25-31-500.

B. Overburden, refuse, spoil and waste disposal fills that do not have the capability to impound water or other liquid or semi-liquid materials, shall meet the requirements of this section.

C. Fills that are not impoundments shall be designed to meet the requirements of this section and use current, prudent engineering practices.

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D. The plans and specifications for fills shall consist of a detailed engineering design report that includes engineering calculations, drawings, and specifications, with the following as a minimum:

1. A site plan showing the location of the structure, associated access, surface and subsurface drainage systems, sediment control structures, and the proposed fill configuration.
2. Cross sections and profiles showing the original ground, proposed fill profile, location of terraces and constructed slopes.
3. Design details for all surface and subsurface drainage control structures.
4. A narrative description of site preparation, foundation evaluation and preparation, materials placement, material handling, and sequencing of construction.
5. A closure and final reclamation plan for the fill and associated structures.

E. Fills shall be constructed, operated, and maintained such that they perform in accordance with their design and purpose throughout the life of the fill.

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F. Fills shall be constructed with slopes no steeper than two horizontal to one vertical for predominantly clay soils and no steeper than three horizontal to one vertical for predominantly sandy soils or must exhibit a static safety factor of 1.5 for other steeper slopes.

G. Fills shall be constructed, maintained and inspected to ensure protection of adjacent properties, preservation of public safety, and to provide prompt notice of any potentially hazardous or emergency situation.

H. Fills shall be closed and abandoned in a manner that ensures continued stability and compatibility with the post-mining land use.

4 VAC 25-31-410. Storage of top soil.

A. Top soil required for reclamation shall be stored in such a manner as to remain available for reclamation. Top soil will be needed for future reclamation and shall not be removed from the permitted area unless authorized by the division.

B. The stockpiled top soil shall be seeded with quick growing grasses or legumes for stabilization until used in final reclamation.

4 VAC 25-31- 420. Screening.

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A. Screening shall be provided to improve the appearance of the mining site from public roads, public buildings, recreation areas, and occupied dwellings.

B. If screening is to be undisturbed forest, a distance of 100 feet must be left undisturbed within the permit boundary. Planted earth berms, natural topography, appropriately designed fences or walls may be used if approved in the mineral mining plan.

C. On permanent berms for screening, the spoils (waste materials) shall be initially placed on the proposed berm area and top soil (where available) shall be spread over the spoil areas, not less than four inches in thickness, and if possible, 12 inches in thickness. The remaining top soil shall be placed in a designated area for future spreading on other areas which need top dressing. The top soil shall be seeded or planted in accordance with the approved reclamation plan.

4 VAC 25-31- 430. Completion of active mining.

A. Except as provided in subsection B of this section, a mining operation, where no mineral has been removed or overburden removed or regraded for a period of 12 consecutive months, shall be declared complete and total reclamation shall begin.

B. At the option of the operator and with the Director's concurrence, an operation may remain under permit for an indefinite period during which no mineral or overburden is

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removed if the following conditions are met to the Director's satisfaction:

1. All disturbed areas are reclaimed to prevent erosion and sedimentation in accordance with mining plans and proper engineering practices.
2. All drainage structures such as culverts and ditches are constructed and maintained in accordance with mining plans and proper engineering practices.
3. All vegetation is maintained, including reseeded if necessary.
4. All improvements on site, including machinery and equipment, are maintained in a state of good repair and condition.

If the above conditions are not met, the permit may be revoked by the Director in accordance with § 45.1-186.1 of the Code of Virginia.

4 VAC 25-31-440. Drainage and sediment control.

All mining operations shall have adequate drainage, erosion, and sediment control measures installed and maintained in accordance with the approved drainage plan or as acceptable to the division. If adequate drainage, erosion, and sediment control measures cannot be provided, the permit for the affected portion or the entire mine may be denied.

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4 VAC 25-31-450. Sediment basins.

Drainage from disturbed areas shall be directed into a sediment basin before it is discharged from the permit area. Sediment basins shall be located as close to the disturbed area as possible. Sediment basins shall not be located in perennial streams. Sediment control measures shall be installed prior to land disturbing activities within the drainage area controlled by the sediment basin. Each primary sediment basin shall provide at least 0.125 acre feet of storage capacity for each acre of disturbed land draining to it. Storage basins shall be cleaned as necessary to ensure proper functioning before they reach 60% capacity. Alternate sediment control measures which are as effective as sediment basins may be approved. The measures may include reduced basin storage capacity for small short term disturbances, sediment channels, check dams, or mining methods which incorporate sediment control.

4 VAC 25-31-460. Intermittent or perennial streams.

All intermittent or perennial streams shall be protected from spoil by natural or constructed barriers. Stream channel diversions shall safely pass the peak run-off from a 10-year 24-hour storm. Stream channel diversions shall be at least equal to the capacity of the unmodified stream channel immediately upstream and downstream of the diversion.

4 VAC 25-31-470. Natural drainageways.

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Drainageways shall be identified on the map submitted with the application. If it is necessary for the operation to cross or fill such a drainageway, properly engineered drainage structures shall be provided to allow free flowing drainage and minimize erosion. Where necessary, water retarding structures shall be placed in drainageways.

4 VAC 25-31-480. Diversions.

Surface water diversions shall be installed as necessary where run-off has the potential for damaging property, causing erosion, contributing to water pollution, flooding or interfering with the establishment of vegetation. Diversions that will be removed in 18 months or less shall convey the peak run-off of a 1-year, 24-hour storm. Diversions that function more than 18 months shall be able to convey the peak run-off of a 10-year, 24-hour storm.

4 VAC 25-31-490. Water quality.

The pH of all water discharge resulting from the mining of minerals shall be between pH 6.0 and pH 9.0.

4 VAC 25-31-500. Water impoundments.

A. Structures that impound water or sediment to a height of five feet or more above the lowest natural ground area within the impoundment and have a storage volume of 50 acre-feet or more, or impound water or sediment to a height of 20 feet or more regardless of storage

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volume, shall meet the following criteria (noted in Chapter 18 of Title 45.1 of the Code of Virginia):

1. Impoundments meeting or exceeding the size criteria set forth in this section shall be designed utilizing a spillway flood and hazard potential classification as specified in the following table:

<u>Class of Impoundment *</u>	<u>Hazard Potential if Failure Occurred</u>	<u>Size Classification **</u>		<u>Spillway Design Flood (SDF)***</u>
		<u>Capacity (ac-ft)</u>	<u>Height</u>	
<u>I</u>	<u>Probable loss of life Extensive off-site effect</u>	<u>A) >1000 B) > 500 C) > 50 D) < 50</u>	<u>> 40 ft < 40 ft > 5 ft > 20 ft</u>	<u>PMF 2 PMF-PMF 2 PMF-PMF 100 yr – 2 PMF</u>
<u>II</u>	<u>Probable loss of life Appreciable off-site effects</u>	<u>A) >1000 B) > 500 C) > 50 D) < 50</u>	<u>> 40 ft < 40 ft > 5 ft > 20 ft</u>	<u>2 PMF-PMF 100 yr –2 PMF 100 yr - 2 PMF 100 yr</u>
<u>III</u>	<u>No loss of life Minimal off-site effect</u>	<u>A) >1000 B) > 500 C) > 50 D) < 50</u>	<u>> 40 ft < 40 ft > 5 ft < 20 ft</u>	<u>100 yr –2 PMF 100 yr 100 yr 50 yr - 100 yr</u>

* Size and hazard potential classifications shall be proposed and justified by the operator and shall be subject to approval by the Director. Present and projected development in the inundation zone downstream from the structure shall be used in determining the classification.

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** The factor determining the largest size classification shall govern.

*** The establishment of rigid design flood criteria or standards is not intended. Safety must be evaluated in the light of peculiarities and local conditions for each impounding structure and in recognition of the many factors involved, some of which may not be precisely known. Such can only be done by competent, experienced engineering judgment, which the values in the table are intended to add to, not replace.

2. Impounding structures shall be constructed, operated, and maintained such that they perform in accordance with their design and purpose throughout their life.

a. Impoundments shall be designed and constructed by or under the direction of a qualified registered professional engineer experienced in the design and construction of impoundments.

b. The designs shall meet the requirements of this section and use current prudent engineering practices.

c. The plans and specifications for an impoundment shall consist of a detailed engineering design report that includes engineering drawings and

RECLAMATION REGULATIONS FOR MINERAL MINING

specifications, with the following as a minimum:

(1) The name of the mine; the name of the owner; classification of the impounding structure as set forth in this regulation; designated access to the impoundment and the location with respect to highways, roads, streams and existing impounding structures and impoundments that would affect or be affected by the proposed impounding structure.

(2) Cross sections, profiles, logs of test borings, laboratory and in situ test data, drawings of principal and emergency spillways and other additional drawings in sufficient detail to indicate clearly the extent and complexity of the work to be performed.

(3) The technical provisions as may be required to describe the methods of the construction and construction quality control for the project.

(4) Special provisions as may be required to describe technical provisions needed to ensure that the impounding structure is constructed according to the approved plans and specifications.

d. Components of the impounding structure, the impoundment, the

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outlet works, drain system and appurtenances shall be durable in keeping with the design and planned life of the impounding structure.

e. All new impounding structures regardless of their hazard potential classification, shall include a device to permit draining of the impoundment within a reasonable period of time as determined by the owner's professional engineer, subject to approval by the Director.

f. Impoundments meeting the size requirements and hazard potential of Class I, Class II and Class III shall have a minimum static safety factor of 1.5 for a normal pool with steady seepage saturation conditions and a seismic safety factor of 1.2.

g. Impoundments shall be inspected and maintained to ensure that all structures function to design specifications.

h. Impoundments shall be constructed, maintained and inspected to ensure protection of adjacent properties, and preservation of public safety and shall meet proper design and engineering standards under Chapter 18.1 of Title 45.1 (§ 45.1-225.1, et seq.). Impoundments shall be inspected at least daily by a qualified person, designated by the licensed operator, who can provide prompt notice of any potentially hazardous or emergency

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situation as required under § 45.1-225.2. Records of the inspections shall be kept and certified by the operator or his agent.

3. Impoundments shall be closed and abandoned in a manner that ensures continued stability and compatibility with the post-mining land use.

4. The following are acceptable as design procedures and references:

a. The design procedures, manuals and criteria used by the United States Army Corps of Engineers:

b. The design procedures, manuals and criteria used by the United States Department of Agriculture, Natural Resources Conservation Service:

c. The design procedures, manuals and criteria used by the United States Department of Interior, Bureau of Reclamation:

d. The design procedures, manuals and criteria used by the United States Department of Commerce, National Weather Service: or

e. Other design procedures, manuals and criteria that are accepted as

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current, sound engineering practices, as approved by the Director prior to the design of the impounding structure.

B. Impoundments that do not meet or exceed the size criteria of subsection A of 4 VAC 25-31-500 shall meet the following criteria:

1. Be designed and constructed using current, prudent engineering practice to safely perform the intended function.
2. Be constructed with slopes no steeper than two horizontal to one vertical in predominantly clay soils or three horizontal to one vertical in predominantly sandy soils.
3. Safely pass the run-off from a 50-year storm event for temporary (life of mine) structures and a 100-year storm event for permanent (to remain after mining is completed) structures.
4. Be closed and abandoned to ensure continued stability and compatibility with the post-mining use.
5. Be inspected and maintained to ensure proper functioning.

RECLAMATION REGULATIONS FOR MINERAL MINING

6. Provide adequate protection for adjacent property owners and ensure public safety.

C. Impoundments with impounding capability created solely by excavation shall comply with the following criteria:

1. Be designed and constructed using prudent engineering practice to safely perform the intended function.

2. Be constructed with slopes no steeper than two horizontal to one vertical in predominantly clay soils or three horizontal to one vertical in predominantly sandy soils.

3. Be designed and constructed with outlet facilities capable of:

a. protecting public safety;

b. maintaining water levels to meet the intended use; and

c. being compatible with regional hydrologic practices.

4. Be closed and abandoned to ensure continued stability and compatibility

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with the post-mining use.

5. Be inspected and maintained to ensure proper functioning.

6. Provide adequate protection for adjacent property owners and ensure public safety.

4 VAC 25-31-510. Alternative methods of stabilization.

Riprap shall be used for the control of erosion on those areas where it is impractical to establish vegetation or other means of erosion control or in any areas where rock riprap is an appropriate means of reclamation. Placing of rock riprap shall be in accordance with drainage standards and the approved mineral mining plan. Other methods of stabilization shall include gabions, concrete, and shotcrete.

4 VAC 25-31-520. Revegetation.

Disturbed land shall be stabilized as quickly as possible after it has been disturbed with a permanent protective vegetative cover. The Mineral Mining Operator's Manual provides guidance in the revegetation of surface mined areas. Exposed areas subject to erosion on an active mining site shall be protected by a vegetative cover or by other approved methods. Simultaneous revegetation shall be incorporated into the mineral mining plan. Reclamation shall

RECLAMATION REGULATIONS FOR MINERAL MINING

be completed on areas where mining has ceased.

4 VAC 25-31-530. Process in revegetation.

A. Slopes shall be graded in keeping with good conservation practices acceptable to the division. Slopes shall be provided with proper structures such as terraces, berms, and waterways, to accommodate surface water where necessary and to minimize erosion due to surface run-off. Slopes shall be stabilized, protected with a permanent vegetative or riprap covering and not be in an eroded state at the time reclamation is complete.

B. Crusted and hard soil surfaces shall be scarified prior to revegetation. Steep graded slopes shall be tracked (running a cleated crawler tractor or similar equipment up and down the slope).

C. Application of lime and fertilizer shall be performed based on soil tests and the revegetation requirements in the reclamation plan.

D. Vegetation shall be planted or seeded and mulched according to the mixtures and practices included in the approved reclamation plan. Mulch shall be applied at the rate of 2,000 pounds per acre for straw or hay, and 1,500 pounds per acre for wood cellulose mulch.

E. The seed used must meet the purity and germination requirements of the Virginia

RECLAMATION REGULATIONS FOR MINERAL MINING

Department of Agriculture and Consumer Services. The division may, at its discretion, take samples for laboratory testing. Noncritical vegetated areas shall achieve adequate cover so that no areas larger than one-half acre shall exist with less than 75% cover after two growing seasons. Seeded portions of critical areas shall have adequate vegetative cover so the area is completely stabilized.

4 VAC 25-31-540. Trees and shrubs.

Trees and shrubs shall be planted according to the specific post-mining land use, regional adaptability, and planting requirements included in the approved reclamation plan. Tree and shrub planting for ground cover shall be combined with well established grass species. For forest and wildlife post-mining land uses, at least 400 healthy plants per acre shall be established after two growing seasons.

4 VAC 25-31-550. Intensive agricultural use.

If the post-mining use is to be intensive agriculture, the planting and harvesting of a normal crop yield is required. A normal yield for a particular crop is equal to the five year average for the county. The use of grass, water bars, or diversion strips and natural vegetative drainage control may be required in the initial planting year as specified by the Director.

PART V.

RECLAMATION REGULATIONS FOR MINERAL MINING

ORDERS.

4 VAC 25-31-560. Informal review.

Orders of the Director may be reviewed through informal processes in accordance with Virginia Code, Section 9-6.14:11.

4 VAC 25-31-570. Formal review.

Orders of the Director, which are final agency actions for which no further informal resolution is available, shall be appropriately identified, and may be appealed to the Board of Surface Mining Review in accordance with Section 45.1-194 of the Code of Virginia.



COMMONWEALTH OF VIRGINIA

DEPARTMENT OF MINES, MINERALS & ENERGY
DIVISION OF MINERAL MINING
P.O. BOX 3727
CHARLOTTESVILLE, VIRGINIA 22903
(434) 951-6310

PERMIT/LICENSE APPLICATION

APPLICATION TYPE:

- NEW MINE
CHANGE OF OWNERSHIP

FOR OFFICE USE ONLY

PERMIT NO.
RECEIPT NO.
DATE ISSUED:

OWNERSHIP INFORMATION

- Name of Applicant
Office Telephone Number
Mailing Address

Mine is located miles direction of town
on Public Road No. in County

- Type of Organization:
Sole Proprietorship
Corporation
Partnership
Other

Specify:

- (A) Name and address of the Mine
(B) MSHA ID number of the Mine
(C) Person with overall responsibility for operating decisions at the mine:
Name/Title, Address, Phone
(D) Person to be contacted in the event of an accident or emergency:
Name, Address, Telephone
(E) Person with overall responsibility for health and safety at the mine:
Name, Address, Telephone
(F) Person responsible for business operation of the mine:
Name, Address, Telephone
(G) Federal Tax ID Number of Applicant

(H) List all individuals having any ownership interest in the organization.
Name/Title Address Telephone

(I) Trade name, address and telephone number for sole proprietors/partnerships:

(J) Principal organization officials, corporate officers, directors and members:
Name/Title Address Telephone

(K) Corporation name, address and telephone number if different than applicant:

(L) State of Incorporation

(M) Registered Agent:
Name Address Telephone

(N) If a subsidiary, provide:
Parent Organization Name:
Address
Telephone _____ State of Incorporation

5. Name, address and telephone number of person(s) authorized to sign permit/license documents:
Name Address Telephone

6. (a) Have any of the above listed persons or companies owned, in whole or in part, by said persons, had a mining permit issued by Virginia or any other state revoked? () Yes () No

(b) If yes, give a brief statement of action.

7. Have any of the persons listed above been convicted of violating any of the following sections: 45.1-161.292:33, 45.1-161.177, 45.1-161.178, and 45.1-161.233 as related to smoking in underground coal mines or tampering with methane detection equipment in underground coal mines?
() Yes () No
If yes, give name of person convicted

OPERATIONS INFORMATION

8. Latitude _____ Longitude

9. Mineral to be mined _____ Estimated annual production (in tons) _____

10. Type of Mine: () Open Pit () Quarry () Underground () Dredge
() Dragline () Other (specify)

11. List any other mining permits or MSHA Federal Identification Numbers issued to the applicant, members of the organization, or any person having 20% or greater ownership interest in the organization.

Issuing Authority	Permit No./Identification No.	Status
-------------------	-------------------------------	--------

12. Will explosive storage and blasting be required? () Yes () No

13. Number of employees each shift 1 _____ 2 _____ 3 _____

14. Distance in feet to nearest inhabited building

15. Does the applicant have the personnel and facilities to provide safety training to its employees?
 () Yes () No

16. List any person with an ownership or leasehold interest in the surface land or minerals to be mined.

<u>NAME</u>	<u>ADDRESS</u>
Surface	
Surface	
Mineral	
Mineral	

17. Specify source of applicant's legal right to enter and conduct mining operations on land covered by the permit:

Provide deed book number, page number, parties to the deed or lease, date of execution **OR** provide a copy of the deed or lease.

18. Please provide the following information for any contractors who will be working on the mine site (attach additional sheets as necessary).

Contractor's Trade Name

Business Address

Business Telephone _____ **MSHA Identification Number**

Address of Record

Service to be Provided

Where at the Mine Will the Work be Provided

Persons with responsibility for operating decisions:

Name	Address
------	---------

Persons with responsibility for the health and safety of employees:

Name	Address
------	---------

19. List rivers, streams, tributaries or water impoundments on or adjacent to permitted property.



Ph ADJACENT

ATERWAY

TO THE MINE

TRIBUTARY TO

20. Specify how mine discharge and storm runoff water will be handled to minimize impact on any water courses. (Detail drainage plan attached): _____

21. Specify any chemicals or hazardous materials which will be used on the mine site and methods to be employed to prevent contamination of land and water resources on or adjoining permitted property.

OPERATION/RECLAMATION PLANS

22. Specify the materials which will be generated by mining operations and the plans for handling and disposal during operations and reclamation.

TYPE OF MATERIAL

DISPOSAL METHOD

- Overburden
- Spoil/Waste Minerals
- Scrap Metal
- Scrap Tires
- Used Oil and Lubricants
- Trash and Debris
- Hazardous Material
- Buildings/Structures

PLANS: OPERATION/RECLAMATION/DRAINAGE PLAN

23. Describe in detail the method of mining, procedures for handling drainage, regrading, and vegetation during active mining and upon completion (attach narrative).

CERTIFICATION/SIGNATURE

I, _____, having been duly sworn do state that all their presentations contained in the foregoing application are true to the best of my knowledge; and that I am (an executive officer), (a general partner), (the sole proprietor), (a legal representative), of the applicant, duly authorized to make this application on its behalf.

On behalf of the applicant, I hereby authorize the Virginia Division of Mineral Mining to conduct such safety/reclamation inspections as it may deem necessary or as may be required by law on this mining operation.

_____ Name _____ Title
subscribed and sworn to, this _____ day of _____,

Notary Public

My commission expires

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINERAL MINING
900 Natural Resources Drive
P. O. Box 3727
Charlottesville, Virginia 22903
(434) 951-6310

NOTICE OF APPLICATION TO MINE

NOTICE ISSUED BY _____

APPLICANT'S NAME _____

ADDRESS _____

_____ TELEPHONE NO. _____

NOTICE ISSUED TO PROPERTY OWNERS WITHIN 1000 FEET OF PERMIT BOUNDARY:

Name _____

Address _____

State law (Section 45.1-184.1 of the Code of Virginia) requires that land owners within 1,000 feet of a proposed new mineral mine be notified that the operator is seeking a surface mining and reclamation permit from the Department of Mines, Minerals and Energy. The surface mining permit pertains to regrading, revegetation and erosion controls of mineral mine sites.

In accordance with that requirement _____

(COMPANY NAME) is hereby notifying you that it has applied/will apply for a surface mining and reclamation permit on _____ (DATE). The mineral to be mined is _____
_____. The proposed mine is located _____ miles _____ (DIRECTION)
of _____ (NEAREST TOWN) on _____ (ROAD)
in _____ (CITY/COUNTY), Tax Map ID No. _____.

Property owners within 1,000 feet of the land proposed to be mined for minerals other than coal may specify objections in writing and request a hearing within ten (10) days of receipt of this notice to: The Department of Mines, Minerals and Energy, Division of Mineral Mining, P. O. Box 3727, Charlottesville, Virginia 22903, (434) 951-6310.



**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINERAL MINING
P.O. BOX 3727
CHARLOTTESVILLE, VIRGINIA 22903
(434) 951-6310**

YEARLY PROGRESS REPORT

COMPANY: _____ PERMIT NO.: _____ COUNTY: _____

1. The following report is required by Section 45.1-185, Code of Virginia. This section requires that this information be provided by the operator within 10 days following the anniversary date of the issuance of any permit.

2. **COMPLETE BELOW**
Have metal, lumber, and other debris been removed? Yes No

3. **ACRES RECLAIMED LAST 12 MONTHS:**

- A. Regraded _____
- B. Vegetated, (but not released) _____
- C. Approved by Mine Inspector during the past 12 months and eligible for release or otherwise released (SHOWN HERE AND IN 4 C BELOW) _____
- D. Fertilizer (Total) _____
- E. Lime (Total) _____
- F. Tree Seedlings: Species _____ Amount _____ Date _____
 Grasses/Legumes: Species _____ Amount _____ Date _____
 Species _____ Amount _____ Date _____
 Species _____ Amount _____ Date _____

4. Number of acres covered by this permit (DMM Records):

BOND ACREAGE CALCULATION:

- A. Acres under bond the previous year (DMM Records):
 - B. Additional acreage to be affected the next 12 months: _____
 - C. Acres vegetated the past 12 months (acreage has to be approved by Inspector) or acres otherwise released: _____
- TOTAL RENEWAL ACREAGE (A + B - C)** _____

5. Have there been any changes in Company name, address, organizational structure or Company officials?
 No Yes Specify, if yes: _____

6. Official in charge of mining operations: _____
 Title: _____
 Signature: _____ Date _____



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINERAL MINING
P. O. BOX 3727; CHARLOTTESVILLE, VA 22903
TELEPHONE: (434) 951-6310

SURETY BOND

KNOW ALL MEN BY THESE PRESENTS: That we, _____, (hereafter **Principal**) whose principal place of business is located at _____, and _____, (hereafter **Surety**), are held and firmly bound unto the **COMMONWEALTH of VIRGINIA**, Director, Division of Mineral Mining (hereafter **Obligee**), in the sum of _____ (\$ _____) Dollars for the payment thereof the Principal and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and, severally, firmly, by these presents.

WHEREAS, the Principal proposes to commence mineral mining, to be known as _____ in _____ County(ies), of Virginia.

Now, therefore, the condition of this obligation is such that if the Principal shall promptly and faithfully comply with the operations plan, including the drainage and reclamation plans as filed with Obligee under Permit Number _____ and furnish such information and reports thereon as may be required, in compliance with all the rules and regulations of Obligee and with the laws of the COMMONWEALTH of VIRGINIA relating thereto, then this obligation shall be null and void; otherwise, it shall remain in full force and effect until it is released in writing by the Obligee in accordance with Chapter 16 of Title 45.1 of the **Code of Virginia**, 1950, as amended. In the event that this performance bond is declared forfeited, in whole or in part, according to law, the Surety will cause the principal sum or appropriate part hereof to be delivered to the Obligee immediately upon the written demand of the latter.

The Surety represents to the Principal and to the Obligee that it is legally authorized to do business in the Commonwealth of Virginia.

WHEREAS, the Surety will notify the Obligee and the Principal of any notice received or action filed alleging the insolvency or bankruptcy of the Surety company, or alleging any violations or regulatory requirements which could result in suspension or revocation of the Surety's license to do business or render the Surety incapable of fulfilling its obligations under the bond for any reason. This notification will also apply to increase or decrease riders/stipulations affecting the original amount of this bond.

Signed and sealed this _____ day of _____, _____.

_____(SEAL)

COMMONWEALTH OF VIRGINIA



PARTMENT OF MINES, MINERALS & ENERGY
DIVISION OF MINERAL MINING
P. O. Box 3727
Charlottesville, Virginia 22903
(434) 951-6310

- () Application Map () Renewal Map () Amendment Map
() Completion Map () Bond Release () Relinquishment Map
() Combined Safety/Reclamation Map

LEGEND

Permit Number _____ County _____

Company Name _____

Map Scale 1"= _____ USGS Quadrangle _____

COLOR CODE

- Outline Red No. of acres covered by this permit _____ Yellow
No. of acres disturbed, including access roads _____ Brown
No. of additional acres to be disturbed
during the next 12 months _____ Cross-Hatch Green
No. of acres suitable for bond release (must be approved by
Inspector) _____ Green
No. of acres vegetated during the last 12 months _____ Cross-Hatch Red
No. of acres deleted from the permit _____ Cross-Hatch Black
No. of reclaimed acres with bond released previously _____ Cross-Hatch Purple
No. of acres relinquished _____ Blue
Water and drainage pattern

Map prepared by _____

L. S. Reg. No. _____ VA P. E. Reg. No. _____ VA

I, the undersigned, hereby certify this map is true and accurate, showing to the best of my knowledge and belief, all information required by Virginia Mineral Mining Law.

Signature _____ Date _____

NOTARIZATION

State of Virginia

County of

Subscribed and sworn to before this _____ day of _____, _____.

Notary Public _____

My commission expires



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS, AND ENERGY
DIVISION OF MINERAL MINING
900 Natural Resources Drive
P. O. Box 3727
Charlottesville, Virginia 22903
(434) 951-6310

RELINQUISHMENT OF MINING PERMIT

I, _____ of _____,
(company official) (company)

hereby relinquish my permit rights to Mineral Mining Permit No.

issued under Chapter 16, Title 45.1, Code of Virginia for _____ acres at

said area to be permitted to (other company or individual)

Signed:

Title: _____

Company:

Sworn to and subscribed before me this _____ day of _____, _____.

Notary Public

My commission expires _____.



COMMONWEALTH OF VIRGINIA

DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINERAL MINING
P.O. BOX 3727
CHARLOTTESVILLE, VIRGINIA 22903
(434) 951-6310

REQUEST FOR AMENDMENT

Company Name: _____ Permit No.: _____

Operating Official: _____ Title: _____

An Amendment Is Requested to This Permit As Listed Below:

List of Attached Items:

Operator's Signature: _____ Date: _____

Inspector's Comments/Recommendations:

Inspector's Signature: _____ Date: _____

FOR OFFICE USE ONLY

Sent Back for Revision and/or Additions As Indicated On Attached Letter.

Signature: _____ Date: _____

Amendment: () Approved () Disapproved

Signature: _____ Date: _____

DMM-113
REV. 7/99

DIVISION OF MINERAL MINING

P O BOX 3727
CHARLOTTESVILLE VA 22903

CONSOLIDATED BIENNIAL REPORT OF WAIVERED COUNTIES, CITIES, AND TOWNS
July 1, _____ - June 30, _____

RE: Chapter 16, Section 45.1-197, of the Code of Virginia, as amended. The Director of the Department hereby requests each waived locality to submit this report by July 30 biennially to the Division of Mineral Mining for review and assurance that the ordinances of the locality adopted to regulate surface mining are equivalent to the requirements of Chapter 16 of Title 45.1 of the Code of Virginia and to the Division of Mineral Mining Regulations.

1. County/City/Town of _____ Virginia

Chief/Administrative Officer: _____

Title: _____

Address: _____

Telephone Number: _____

2. Permitting handled by the _____

(Division, Department, Section, etc.)

Address: _____

Telephone Number: _____

3. Include a flow chart and description (including length of review period, etc.) of how a new permit is treated by your locality before it is granted.

4. Person directly responsible for administering the Division of Mineral Mining Permit Program:

Title: _____

Address: (if different from #2): _____

Telephone Number: _____

5. Number of full-time mining inspectors: _____

Number of part-time inspectors (if duties are divided and description of other duties): _____

Total number of inspections made: _____

6. Total number of surface mining permits issued since last report: _____

Total number of surface mining permits currently active (being mined): _____

Total number of surface mining permits in process of being reclaimed: _____

Total number of surface mining permits not being mined or reclaimed: _____

How many surface mining permits have had mining activities completed since the last report?

Total number of requests for public hearings for new permits: _____

Total number of permitted acres: _____ disturbed acres: _____

Total number of acres reclaimed: _____

7. Bond: Amount per acre required: \$ _____

Permit application fee required: \$ _____

Other fees: _____

8. Total value or permit bonds held by locality: \$ _____

Does your locality offer a Minerals Reclamation Fund as per sections 14.1-197 – 45.1-197.18? Yes

No

9. Has your locality reviewed Chapter 16 of Title 45.1 of the Code of Virginia and the Division of Mineral Mining Regulations to ascertain whether any amendments are needed to keep your locality current with state law and regulations? Yes No

If amendments have been made or are being drafted, please update your ordinances and the copy enclosed to reflect these changes. List below the measures being taken to implement amendments, date adopted, section amended, or to be amended:

10. How are appeals handled on actions of surface mining orders from your locality? _____

11. Enclose a copy of all county/city/town ordinances governing mineral mining. List the county regulation that addresses the Chapter 16 requirements listed below:

Reg. SEC

BRIEF DESCRIPTION

COUNTY ORDINANCE OR REGULATION

3.2 Signs _____

3.6 (4)

(a) Reclamation Schedule _____

(b) Method of Operation _____

MOTC SEC

BRIEF DESCRIPTION

COUNTY ORDINANCE OR REGULATION

(c) Drainage Design _____

(d) Maps _____

3.6 (5) Legal Right _____

3.6 (6) Outstanding Permits, Revocations, and Forfeitures _____

3.6 (7) Permit Notification _____

3.6 (8) Public Comment _____

3.7 Exemption for Restricted Mining _____

4.1 Preparation of Maps _____

4.2 Certification _____

4.3 Map Requirements _____

5.1 Renewal _____

6.1 Roads (planning) _____

6.2 Roads (construction) _____

6.3 Roads (maintenance) _____

6.4 Abandonment _____

7.1 Simultaneous Reclamation _____

7.2 Slopes _____

7.3 Treatment of Acid Material _____

MOTC SEC BRIEF DESCRIPTION COUNTY ORDINANCE OR
REGULATION

7.4 Spoil & Stockpiles _____

7.5 Topsoil _____

7.6 Screening _____

7.7 Completing of Active Mining _____

8.1 Drainage & Sediment Control _____

8.2 Sediment Basins _____

Drainage Control Handbook _____

8.3 Diversion Structures _____

8.4 Protection of Streams _____

8.5 Natural Drainways _____

8.6 Water Quality _____



8.7 Water Impoundments _____

8.8 Landfills _____

8.9 Certification of Drainage and Sediment Control Structures _____

8.10 Completion of Structures _____

8.11 Rock Rip-Rap _____

9.1 Revegetation _____

9.2 Process in Revegetation _____

<u>MOTC SEC</u>	<u>BRIEF DESCRIPTION</u>	<u>COUNTY ORDINANCE OR</u>
<u>REGULATION</u>		

9.3 Trees and Shrubs _____

9.4 Critical or Problem Areas _____

9.5 Intensive Agricultural Use _____

9.6 Inspection for Adequacy of Revegetation & Surety Release _____

12. Describe the method enforcement used by the locality to enforce the ordinances pertaining to mineral mining:

DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINERAL MINING
P O BOX 3727
CHARLOTTESVILLE VA 22903

BIENNIAL WAIVERED COUNTIES, CITIES, AND TOWNS
REPORT OF INDIVIDUAL MINING COMPANIES
PERIOD: July 1, ___ - June 30, ___

RE: Chapter 16, Section 45.1-197, of the Code of Virginia, as amended. The Director of the Department hereby requests each waived locality to submit this report by July 30 biennially to the Division of Mineral Mining for review and assurance that the ordinances of the locality adopted to regulate surface mining are equivalent to the requirements of Chapter 16, of Title 45.1 of the Code of Virginia and the Division of Mineral Mining regulations.

1. County/City/Town of _____ Virginia
Company Name: _____
Permit Number: _____
Person in Charge (President, manager, etc.): _____
Address: _____
Business telephone number: _____
Location of mining site: _____

2. Permitted acreage: _____ Disturbed acreage: _____
3. Bond: Amount per acre: _____ Total: _____
4. Number of inspections made during year: _____
5. Inspector(s) responsible for the day-to-day enforcement:
Name: _____
Address: _____
6. County/City/Town – Road or city map showing locations.
7. Special orders, orders of non-compliance, issued to company, as listed: (Explain your actions on violations).
Attach additional pages, if necessary.

8. Forfeiture of bonds declared against company, as noted: _____

DIVISION OF MINERAL MINING

P.O. BOX 3727
CHARLOTTESVILLE, VIRGINIA 22903
(434) 951-6317

CONSENT FOR RIGHT OF ENTRY

owner of record of property identified in the records of _____
County, Virginia in Deed Book _____, Pages _____ and
described as _____ acres in the _____ Magisterial District,
hereby grants to the DIVISION OF MINERAL MINING, VIRGINIA DEPARTMENT OF MINES,
MINERALS AND ENERGY (Division), their agents, employees, or contractors, the
right to enter upon the above described property to restore, reclaim, abate,
control or correct the adverse effects of minerals other than coal mining and
to do all things necessary or expedient to protect the health, safety, and
general welfare of the public.

Entry, reclamation and abatement work, if any, performed by the Division,
their agents, employees, or contractors, is pursuant to the authority granted
in Article III of the Mineral Mining Law, Chapter 16, Title 45.1 of the Code of
Virginia.

_____ gives this consent to enter upon the above
described property for the length of time necessary to complete the reclamation
work.

In giving consent to this entry _____ does
not waive any rights conferred upon it by virtue of the language contained in
Article III of the Virginia Minerals Mining Law. The Division does not waive
their rights or responsibilities conferred by the law.

As consideration for the grant of this consent to enter upon the above
described property, the Division, their agents, employees, or contractors agree
that the following provisions are to be considered a part of the foregoing
Consent for Right of Entry:

1. All work hereunder shall be at the sole expense of the Division.
2. The entry by the Division upon the
property is for the convenience and purposes of the Division and is
not upon any business of or for _____.
3. The Division will require any contractor and/or subcontractor



in accomplishing the

_____ to maintain adequate insurance coverage to protect from any liability for any negligent act or omission on the part of said contractor or subcontractor.

WITNESS the following signatures this _____ day of _____, 19 _____.

By: _____
Authorized Agent/Landowner

WITNESS:

DIVISION OF MINERAL MINING,
DEPARTMENT OF MINES, MINERALS AND ENERGY

BY:

Division Director

WITNESS:

DMM-120
REV. 12/99

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINERAL MINING
900 Natural Resources Drive
P. O. Box 3727
Charlottesville, VA 22903**

MINERAL MINING ANNUAL TONNAGE REPORT

REPORT FOR CALENDAR YEAR _____

1. **COMPANY NAME _____ PERMIT NO. _____**
2. **TOTAL TONS PRODUCED _____**
3. **WORKERS - Include the number of full or part-time persons who worked for any part of the period covered by this report. Include all owners, officers, clerical help, engineers and others who worked at the mine.**

LICENSED OPERATOR

NUMBER OFFICE WORKERS	OFFICE HOURS	OFFICE WAGES	NUMBER PRODUCTION WORKERS PIT/PLANT	PRODUCTION HOURS	TOTAL PRODUCTION WAGES

CONTRACTOR(S)

(Use additional sheets as necessary)

CONTRACTOR NAME	DMM CONTRACTOR NUMBER	NUMBER WORKERS	HOURS WORKED	TOTAL WAGES
TOTAL FOR MINE				

REPORT REQUIRED BY LAW - Code of Virginia, Title 45.1, Chapter 14.4:1, Section 45.1-161.292:35.A requires this form to be filled out and returned to this office by the 15th day of February. Operations that do not submit tonnage reports may be subject to closure.

I, the undersigned, hereby certify that all information provided on this report is true and accurate to the best of my knowledge and belief. I further certify that all occupational injuries occurring on the mine site have been reported for calendar year _____.

SIGNED _____ TITLE _____ DATE _____

**DMM-146
REV. 9/99**



E & T SERVICE EVALUATION

Type of Training: Blaster Foreman First Aid Annual Refresher New Miner General Mineral Mine

GMS Safety Meeting (topic): _____

Date: _____ **Location:** _____

Instructor Name(s): 1. _____ 2. _____ 3. _____

Please rate the following areas and provide comments below:

COURSE/SERVICE PROVIDED: (Circle the number) 1 = poor, 5 = best

- | | | | | | |
|--|---|---|---|---|---|
| 1. Information was new – I learned something new and/or useful | 1 | 2 | 3 | 4 | 5 |
| 2. Up-to-date information provided | 1 | 2 | 3 | 4 | 5 |
| 3. Quality of the content | 1 | 2 | 3 | 4 | 5 |
| 4. Quality of the audio-visuals/hand-outs | 1 | 2 | 3 | 4 | 5 |
| 5. Information organized efficiently | 1 | 2 | 3 | 4 | 5 |
| 6. Information provided of sufficient length of time | 1 | 2 | 3 | 4 | 5 |
| 7. Overall rating of the quality/helpfulness of information | 1 | 2 | 3 | 4 | 5 |

INSTRUCTOR/SERVICE PROVIDER:

- | | | | | | |
|--|---|---|---|---|---|
| 8. Instructor was well prepared | 1 | 2 | 3 | 4 | 5 |
| 9. Instructor provided time for and responded to questions | 1 | 2 | 3 | 4 | 5 |
| 10. Instructor was clear and understandable | 1 | 2 | 3 | 4 | 5 |
| 11. Adequate time given for breaks in class | 1 | 2 | 3 | 4 | 5 |
| 12. Overall rating of the instructor/provider | 1 | 2 | 3 | 4 | 5 |

13. Recommendation(s) for changes to content or presentations: _____

14. Which segment did you consider to be the most important: _____

15. Which segment did you consider to be the least important: _____

16. Related to your job, what other topics would you like to have offered: _____

17. Do you think the information presented in this class improved your safety knowledge or will positively influence your safety

practices on the job? Yes No

OPTIONAL: Name: _____ Company: _____

DMM 152
9/00



COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF MINES, MINERALS AND ENERGY
 DIVISION OF MINERAL MINING
 900 NATURAL RESOURCES DRIVE
 P. O. BOX 2737
 CHARLOTTESVILLE, VA 22903
 TELEPHONE: (434) 951-6310

REQUEST FOR RELEASE OF MINE MAP

Please Print

Requester Name _____ Phone _____

Address _____

City _____ State _____ Zip Code _____

Name of Mine _____

Permit Number/Mine Index Number _____

Reason for request under the Virginia Mine Safety Act:

- I own, lease, reside on or have equitable interest in the surface areas; or I have mineral interest within 1,000 feet of the mine. Attached are copies of documents, such as a deed and a plat, proving equitable or mineral interest and showing the location of the interest.
- I am a representative of the city, county or town of _____ in which the mine is located. Attached is a copy of an official document from the locality requesting the mine map or sections thereof. The city, county or town named above must abide by the provision of § 45.1-161.64.F the Virginia Mine Safety Act regarding the release of the mine map or sections thereof to other parties.
- I have written consent from the operator or his agent of the above named mining operation. By the signature below, the operator of this mine or his agent consents to the release of the requested mine map or sections thereof.

According to the Virginia Mine Safety Act, DMME must have written consent of the operator or his agent of a mine to release copies of a mine map or sections thereof to any person who does not own, lease, reside on or have other equitable interest in the surface areas, or who does not have mineral interests within 1,000 feet of the mining operation.

Operator/Agent (signature) _____

Address _____

I certify that all of the information on this form is correct, and that the required documents are attached.

Signature _____ Date _____

DMME USE ONLY

Approved Denied By _____

Mailed/delivered to _____

By _____ Date _____



COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF MINES, MINERALS AND ENERGY
 DIVISION OF MINERAL MINING
 900 Natural Resources Drive
 P. O. Box 3727
 Charlottesville, VA 22903
 (434) 951-6310

NOTICE OF OPERATOR INTENT

Name of Operator _____ Permit No. _____

Company Name _____

Address _____

_____ Telephone No. _____

Location of Mine _____

In accordance with section 45.1-161.292:36, we hereby serve notification of our intent to proceed as noted below:

- { Working will be discontinued for a period of 30 days or more at our underground mining operation.
- { Working will be discontinued for a period of 60 days or more at our surface mining operation.
- { Working will resume at our inactive mine 10 days following the effective date of this notice.
- { Emergency actions were taken on (Date) _____ to preserve this mine.

Describe:

- { The mine name or name of the operation of the mine will change, as noted below, 10 days following the effective date of this notice.

Current Information

New Information

- { Our new mine will open ten days following the effective date of this notice.

The effective date of this notice is _____.

Operator/Agent _____

COMMONWEALTH OF VIRGINIA

DEPARTMENT OF MINES, MINERALS & ENERGY
DIVISION OF MINERAL MINING
P. O. Box 3727
Charlottesville, Virginia 22903
(434) 951-6310

LICENSE RENEWAL APPLICATION

Ownership Information

1. Name of Applicant _____ Permit No.
2. Mailing Address
3. Office Telephone No.
4. Attach to this License Renewal Application the following information on any contractors who will be working on the mine site in the next 12 months: trade name, business address, business telephone number, MSHA identification number, address of record (if different than business address), service to be provided, where at the mine the work will be provided, person(s) with responsibility for operating decisions (name and address) and person(s) with responsibility for health and safety of employees (name and address). During the year any contractors on the mine site but not on the list must be reported individually. Contractors not shown on the attached list will no longer be associated with the mine permit.

PLEASE COMPLETE ANY INFORMATION THAT HAS CHANGED SINCE YOUR ORIGINAL
LICENSE APPLICATION OR SINCE YOUR LAST RENEWAL
(be sure to complete the certification statement on page 2, sign and date the form)

5. Type of Organization:

- () Sole Proprietorship - Complete questions A,B,C,D,E,F,G,I
- () Corporation - Complete questions A,B,C,D,E,F,G,J,K,L,M,N
- () Partnership - Complete questions A,B,C,D,E,F,G,H,I
- () Other - Complete questions A,B,C,D,E,F,G,H,J

Specify:

- (A) Mine name, address and telephone number

- (B) MSHA ID number of the mine
- (C) Person with overall responsibility for operating decisions at the mine
Name/Title _____ Telephone #
Address
- (D) Person to be contacted in the event of an accident or emergency
Name _____ Telephone #
Address
- (E) Person with overall responsibility for health and safety at the mine
Name _____ Telephone #
Address
- (F) Person responsible for business operation of the mine
Name _____ Telephone #
Address
- (G) Applicant's Federal Tax ID Number

(H) List all individuals having any ownership interest in the organization

Name/Title _____ Telephone #
Address

(I) Trade name, address and telephone number for sole proprietors/partnerships

(J) Principal organization officials, corporate officers, directors and members

Name/Title _____ Telephone #
Address

(K) Corporation name, address and telephone number if different than applicant

(L) State of Incorporation

(M) Registered Agent _____ Telephone #
Address

(N) If a subsidiary, provide:

Parent Organization Name

Address

Telephone No. _____ State of Incorporation

6. Name, address and telephone number of person(s) authorized to sign Permit/License Documents

7. Have any of the above listed persons or companies owned, in whole or in part, by said persons, had a mining permit issued by Virginia or any other state revoked?

() Yes () No

If yes, give a brief statement of action. _____

8. Have any of the persons listed above been convicted of violating any of the following sections: 45.1-161.292:33, 45.1-161.177, 45.1-161.178, and 45.1-161.233 as related to smoking in underground coal mines or tampering with methane detection equipment in underground coal mines? () Yes () No

If yes, give a brief statement of action. _____

9. List any other mining permits or MSHA Federal Identification Numbers issued to the applicant, members of the organization, or any person having 20% or greater ownership interest in the organization.

Issuing Authority	Permit No./Identification No.	Status
_____	_____	
_____	_____	

I, _____ hereby certify that to the best of my knowledge, the information provided in this License Renewal Application is accurate and complete.

Operating Official

Date



Division of Mineral Mining
900 Natural Resources Drive
P. O. Box 3727
Charlottesville, VA 22903-0723
(434) 951-6310

REQUEST FOR:

- Being on mailing list
- Taking an exam
- Change of address
- Course not listed

Name: _____

Address: _____

To take an exam, also complete:

Title: _____ Social Security # _____

Company name: _____

Exam requested: _____

Exam date/location: _____

- Initial Certification
- Renewal

If exam location is the DMM office, call to schedule a date. Use this to submit your intentions to test.

For course information, complete the following:

Course Title: _____

Course Date/Location: _____

If taking a certification course, do you intend to test at the end of the course:

- Yes
- No

Company size (# employees at site):

- 1-9
- 10-19
- 20-49
- 50+

If you would like a DMM staff member to contact you concerning the available E&T Services, Please check the following services in which you are interested:

- Customized on-site E&T course scheduling
- Mined Lane Reclamation services
- Environmental assessment
- Conducting mine safety analysis
- Conducting E&T training assessment
- Information on external referral

Comments or suggestions on E&T services: _____



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS, AND ENERGY
DIVISION OF MINERAL MINING
900 Natural Resources Drive
P.O. Box 3727
Charlottesville, Virginia 22903
(434) 951-6310

PERMIT TRANSFER ACCEPTANCE

I, _____ of _____
(company official) (company)

hereby accept the transfer of Mineral Mining Permit No. _____ from

(transferring company)

I agree to abide by the terms and conditions of Mineral Mining Permit No. _____ issued under Chapter 16, Title 45.1, Code of Virginia until such time as the permit terms and conditions have been modified through the appropriate procedure and approved by the Division of Mineral Mining.

Signed:

Title:

Company:

Sworn and subscribed before me this _____ day of _____, _____.

Notary Public

My commission expires _____.